

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BILLIE J. SWEET RAIN SHEEHY, et al.,

Petitioners,

v.

ORDER
06-CV-66

MIKE JOHANNNS, Secretary of Agriculture,
et al.,

Respondents.

This case was referred to Magistrate Judge Hugh B. Scott pursuant to 28 U.S.C. § 636(b)(1). Respondents filed a motion for summary judgment on the administrative record and petitioners filed motions for injunctive relief and to seal documents. On January 11, 2007, Magistrate Judge Scott filed a Report and Recommendation, recommending that petitioners' motions for preliminary injunction and related relief be denied and respondents' cross-motion for summary judgment on the administrative record be granted.

Petitioners filed objections to the Report and Recommendation on January 30, 2007.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and

Recommendation, and after reviewing the submissions from the parties, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, and Recommendation, petitioners' motions for preliminary injunction and related relief (Docket nos. 21 and 24) are denied and respondents' cross-motion for summary judgment on the administrative record (Docket no. 35) is granted. The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: February 27, 2007